



Virginia
Regulatory
Town Hall

Notice of Intended Regulatory Action Agency Background Document

Agency Name:	Department of Criminal Justice Services
VAC Chapter Number:	171
Regulation Title:	Regulation Relating to Private Security Services
Action Title:	Private Security Services Regulations
Date:	02/25/02

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B). Please refer to Executive Order Twenty-Five (98) and Executive Order Fifty-Eight (99) for more information.

Purpose

Please describe the subject matter and intent of the planned regulation. This description should include a brief explanation of the need for and the goals of the new or amended regulation.

The purpose of this regulation is to amend and revise the rules mandating and prescribing standards, requirements, and procedures that serve to protect the citizens of the Commonwealth from unqualified, unscrupulous, and incompetent persons engaging in the activities of private security services. At least two public hearings will be held during the promulgation process and participation from the private security services industry will be strongly encouraged.

Basis

Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the legal authority identified above should be explained. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided.

The legal authority to review, amend, or revise regulations relating to private security services is found in §9.1-141(A)(C) Code of Virginia. Additionally, this review and amendment is in accordance with Executive Order 13 (94) and Executive Order 25 (98).

Substance

Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.

While all areas of the regulations will be subject to review, the substance of this review will focus on improving the licensing, registration, certification, and training requirements and procedures. It will also identify possible areas of confusion or weakness that currently may not protect the health, safety, or welfare of the citizens of the Commonwealth. The Department will have specific recommendations in the area of the fee schedule and the compulsory minimum training requirements.

Alternatives

Please describe, to the extent known, the specific alternatives to the proposal that have been considered or will be considered to meet the essential purpose of the action.

A job task analysis is currently being conducted on armed and unarmed security officers and private investigators. The recommendations based on the results of the job task analysis will be incorporated into the proposed regulatory package. Any alternatives identified during this study that are less burdensome and intrusive and achieve the essential regulatory purpose will be considered.

Family Impact Statement

Please provide a preliminary analysis of the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The regulations will directly impact any family who uses private security services (such as residential alarm monitoring) in terms of the assurance of competent registrants as well as having a venue to register complaints about any private security registrant, training school, or business

in the Commonwealth of Virginia. The regulations indirectly impact the family by providing a regulatory program that protects the public from unscrupulous, incompetent or unqualified persons engaging in the activities of private security services, and by setting standards and procedures that enhance professionalism and the quality of services by the private security profession.